

2014-043
Chattanooga Construction Company/
Lighthouse Enterprises, LLC
District No. 6

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 5336, 5344, AND 5050 HUNTER ROAD, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for a Proposed Residential Planned Unit Development for properties located at 5336, 5344, and 5050 Hunter Road, more particularly described in the attached maps:

Lot 1 of Hardin's Addition to Hunter Road, Plat Book 82, Page 195, ROHC, Lot 6 of the Jac T Hundley Estate, Plat Book 54, Page 37, ROHC, and an unplatted tract of land located at 5050 Hunter Road, being the properties described in Deed Book 8816, Page 112, and Deed Book 8893, Page 713, ROHC. Tax Map Nos. 131-075 (part), 075.08, and 075.09.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That this Special Exceptions Permit be approved subject to the following:

- 1) A Type C buffer yard, as specified in the Chattanooga Zoning Ordinance, consisting of a ten (10) feet deep (as measured towards the interior of the property) landscape yard for the buildable lots along the southern property line, as shown on the P.U.D. plan planted with Evergreen trees spaced a maximum of ten (10) feet on-center or two (2) staggered rows {spaced a maximum of seven (7) feet apart} of shrubs spaced a maximum of eight (8) feet on-center.

- 2) Provide street-yard trees along the interior streets of the property, per Section 38-593 of the City of Chattanooga Landscape Ordinance, and in accordance with the Chattanooga Transportation Department and Hamilton County Engineer relative to traffic safety.

- 3) The developer will be required to improve the sight distance on Hunter Road by improving the vertical and horizontal curves, adding four (4) fee shoulders, and dedicating required right-of-way as approved by the Hamilton County Engineer.

ADOPTED: _____, 2014

/mem

2014-043 City of Chattanooga
May 12, 2014 (Deferred)
June 9, 2014 (Action Taken)

RESOLUTION

WHEREAS, Chattanooga Construction Company/Lighthouse Enterprises, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga granting a Special Exceptions Permit for a Proposed Residential Planned Unit Development (PUD) for properties located at 5336, 5344, and 5050 Hunter Road.

Lot 1 of Hardin's Addition to Hunter Road, Plat Book 82, Page 195, ROHC, Lot 6 of the Jac T Hundley Estate, Plat Book 54, Page 37, ROHC, and an unplatted tract of land located at 5050 Hunter Road, being the properties described in Deed Book 8816, Page 112, and Deed Book 8893, Page 713, ROHC. Tax Maps 131-075 (part), 075.08, and 075.09 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 12, 2014, at which time action was deferred until June 9, 2014,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

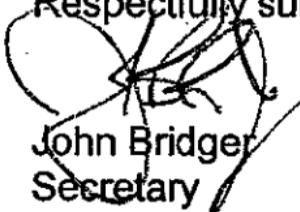
AND WHEREAS, there was no one present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 9, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: 1) A Type C buffer yard, as specified in the Chattanooga Zoning Ordinance, consisting of a ten (10) feet deep (as measured towards the interior of the property) landscape yard for the buildable lots along the southern property line, as shown on the P.U.D. plan planted with Evergreen trees spaced a maximum of ten (10) feet on-center or two (2) staggered rows {spaced a

maximum of seven (7) feet apart} of shrubs spaced a maximum of eight (8) feet on-center. 2) Provide street-yard trees along the interior streets of the property, per Section 38-593 of the City of Chattanooga Landscape Ordinance, and in accordance with the Chattanooga Transportation Department and Hamilton County Engineer relative to traffic safety. 3) The developer will be required to improve the sight distance on Hunter Road by improving the vertical and horizontal curves, adding 4' shoulders, and dedicating required right-of-way as approved by the Hamilton County Engineer.

Respectfully submitted,



John Bridger
Secretary

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

CASE NUMBER:	2014-043			Date Submitted: 04/10/2014		
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)						
1 Applicant Request						
PUD	PUD Name: HUNTER ROAD DEVELOPMENT					
	Acres: 23	Density: 2.52 U/A	X	Residential		Institutional
2 Property Information						
Property Address:	5336, 5344, 5050 Hunter Rd					
Property Tax Map Number(s):	131-075 (part), 075.08 and 075.09					
3 Proposed Development						
Reason for Request and/or Proposed Use:	Proposed Residential Planned Unit Development (Townhomes)					
4 Site Characteristics						
Current Zoning:	R-1					
Current Use:	Undeveloped					
Adjacent Uses:	Residential, Commercial, Undeveloped					
5 Applicant Information						
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.						
Name: Chattanooga Construction Company				Address: P. O. Box 828		
Check one:		I am the property owner	x	I am not the property owner		
City: Chattanooga	State: TN	Zip Code: 37401	Email:			
Phone 1: 770-893-9116	Phone 2:	Phone 3:	Fax:			
6 Property Owner Information (if not applicant)						
Name: Lighthouse Enterprises, LLC				Phone: 423-902-9229		
Address: 9206 Hamilton Island Court, Harrison, TN 37341						
Office Use Only:						
Planning District: 6			Neighborhood: Mill Run Homeowner's Association			
Hamilton Co. Comm. District: 9		Chatt. Council District: 6		Other Municipality:		
Staff Rec:	PC Action/Date:		Legislative Action/Date/Ordinance:			
Checklist						
<input checked="" type="checkbox"/>	Application Complete	<input checked="" type="checkbox"/>	Ownership Verification	<input checked="" type="checkbox"/>	Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Total Acres to be considered: 23	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>
Deed Book(s): 8816/112, 8933/713						
Plat Book/Page: 54/37, 82/195				<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/>	Filing Fee: 400.00	<input checked="" type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 5773
Planning Commission meeting date: 05/12/2014				Application processed by: Marcia Parker		

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-043	PC Meeting Date: 6-9-2014
PC RECOMMENDATION:	APPROVE, subject to conditions	
Reason(s) for Recommendation	<ul style="list-style-type: none">❖ The proposed residential density of 2.52 du/a (58 units) meets the Wolftever Creek Area Plan's recommendation not to exceed 3 du/a.❖ Conditions are recommended to help address compatibility and landscape buffering with surrounding properties.	
Applicant Present at PC Meeting?	Yes	
Opposition Present at PC Meeting?	A resident was present with questions and comments rather than direct "opposition."	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-043	PC Meeting Date: 06-09-14
Applicant Request:	Special Exceptions Permit for a Residential Planned Unit Development (P.U.D.)	
Property Location:	5050, 5336, 5344 Hunter Road	
Property Owner:	Lighthouse Enterprises, LLC	
Applicant:	Chattanooga Construction	
Staff Recommendation:	APPROVE, subject to the conditions contained in the summary of this report.	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is requesting a Special Exceptions Permit for a Residential Planned Unit Development (P.U.D.) located at 5050, 5336, 5344 Hunter Road.

This case was deferred from the May Planning Commission to allow the developer additional time to address concerns regarding the attached conditions and to meet with opposing residents.

Site Description

The site is 23 acres in size and currently vacant. Adjacent uses include residential, commercial and other undeveloped uses.

Zoning History

A 2003 request to rezone 15 acres of this area to R-3 Apartment-Townhouse District was denied by Hamilton County Commission (Case 2003-014). In April 2009, a rezoning request (Case 2009-077) was submitted to rezone A-1 Agricultural and C-2 Local Business Commercial District properties to R-3 Apartment-Townhouse District. The request was withdrawn a month later. In December of 2009, another rezoning request (Case 2010-010) was filed to rezone only the A-1 Agricultural District properties to R-3 Apartment-Townhouse District; the proposal encountered public opposition at Planning Commission which recommended denial, but again was withdrawn by the applicant before the Hamilton County Commission on May 19, 2010.

Annexation into the City of Chattanooga occurred on April 20, 2010 by Ordinance No. 12383. A rezoning case (Case 2010-088), Ordinance No. 12427, dated August 24, 2010, rezoned the property from a temporary R-1 Residential Zone and C-2 Convenience Commercial Zone to permanent R-1 Residential Zone and C-2 Convenience Commercial Zone based on the Zoning Plan required for areas annexed into the City of Chattanooga. The property owner requested R-3 Residential Zone for apartments be considered as part of the Zoning Plan. That request was denied by Planning Commission and City Council.

Additionally, the current R-1 Residential Zone would allow approximately 100-113 lots at a minimum lot size of 7500 square feet.

Plans/Policies

The subject property falls within the Outer Suburban Urban Growth Sector, as identified in the Hamilton

STAFF CASE REPORT TO PLANNING COMMISSION

County Comprehensive Plan 2030. The Outer Suburban area is typified by the distinct separation of residential and non-residential uses. Residential developments are usually single-units on larger lots averaging 7,500 sq. ft. and greater. The average residential density is 1.2 dwelling units per acre. There is little connection between subdivisions, and lack of sidewalks and of a street grid.

Development in this area is guided by the Wolftever Creek Area Plan (2007). The plan considers Low Intensity Residential appropriate to this site. This residential land use classification recommends the following development policies for a proposed R-1 Residential PUD:

- Townhouses and other attached housing types are acceptable within a Planned Unit Development (PUD) as long as the PUD consists primarily of single-family detached housing with an overall density of 3.0 units per acre or less.
- Those seeking to develop this type of use are strongly encouraged to retain a natural vegetative buffer separating the perimeter of the site from adjacent, exterior roadways.

The Regional Planning Agency has a policy regarding Townhouses titled RPA Position Paper 6.18.07 TOWNHOUSES which states "Townhouses are also generally more acceptable and compatible with surrounding detached low-density single-family residential development if they are part of a Unified Development and sited to the interior of that development."

However, the policy acknowledges precedence that townhouse-only developments have been approved in predominately single-family residential areas, but have produced mixed results in terms of compatibility. Whether or not such a development fits into an R-1 residential area seems to depend on the quality and architectural compatibility of the townhouses with existing housing stock as well as the degree of landscaping and/or existing natural features. The RPA policy, though it does not provide the specific details for these elements in an effort to allow for the flexibility of different areas, carries the expectation that an applicant consider existing character of the area and provide for these elements to ensure a level of compatibility.

In addition, in the Chattanooga-Hamilton County/North Georgia Transportation Planning Organization's (TPO) 2014-2017 Transportation Improvement Program there is a project to realign and regrade a portion of Hunter Road at Ooltewah Harrison Road in 2014 and an additional set of safety improvements planned for construction on or before 2030 according to the TPO's 2040 Regional Transportation Plan. However, the Plan does not include any projects to add roadway capacity between now and 2040 as the 2010 and 2040 congestion maps indicate low congestion for the peak periods.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

Additional comments are indicated by department below.

Public Works

Hunter Road is a county-maintained road. Hamilton County Public Works Division requests that the

STAFF CASE REPORT TO PLANNING COMMISSION

zoning be conditioned to state that the developer will be required to improve the sight distance on Hunter Road by improving the vertical and horizontal curves, adding 4' shoulders, and dedicating required right-of-way as approved by the Hamilton County Engineer.

RPA Summary

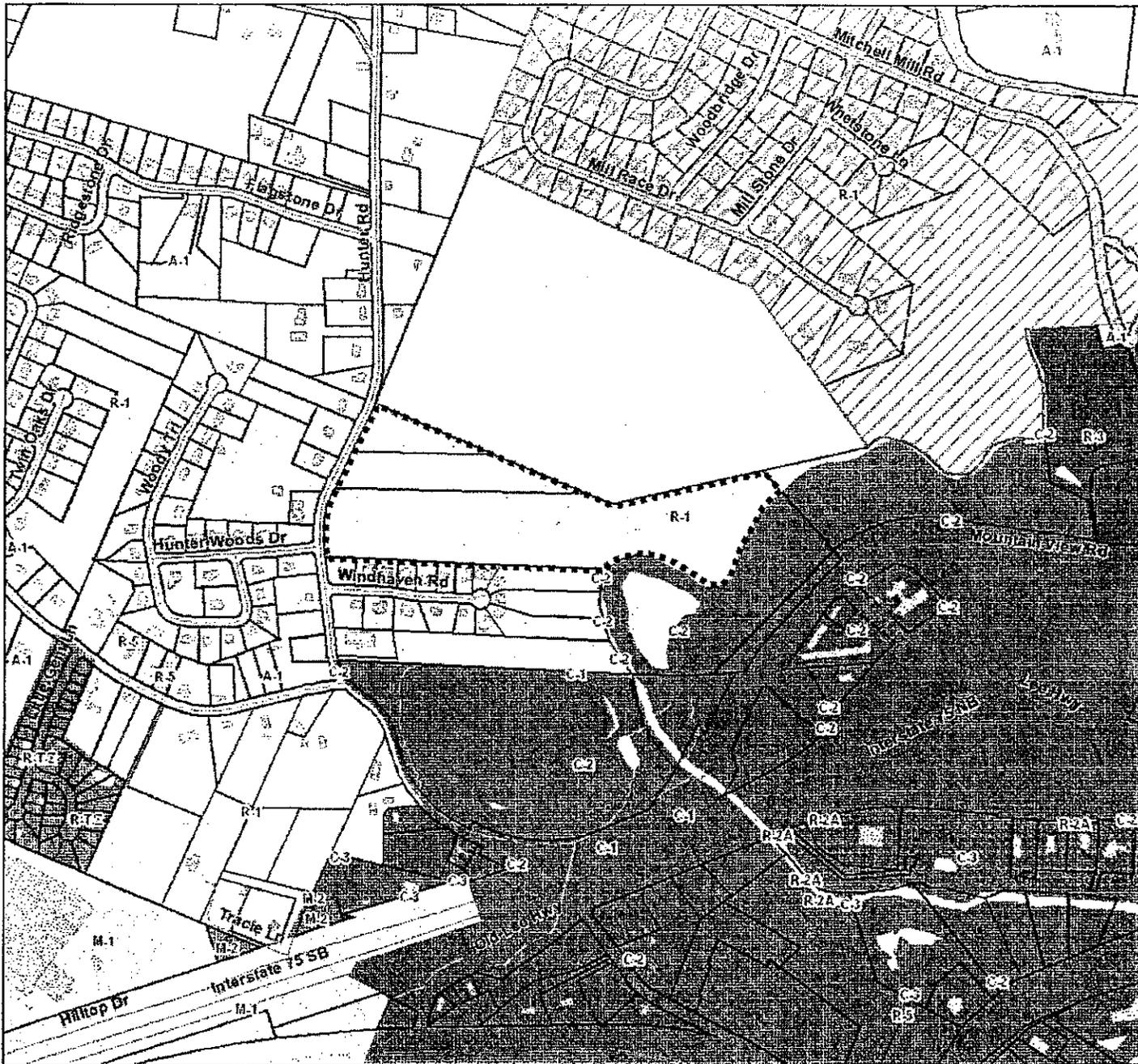
Staff Recommendation

The Wolftever Creek Area Plan (2007) recommends Low Intensity Residential for this site. The plan further recommends that Townhomes be a part of an R-1 Residential PUD with a density not to exceed 3.0 dwelling units an acre. This proposed development falls within the parameters set by the land use plan as the site plan depicts a density of 2.52 units per acre and, in comparison, a conventional R-1 residential PUD could have up to 5.0 units per acre which would not be appropriate for this Outer Suburban Development Sector.

In addition, the RPA's position paper on townhouses cites that some townhouse-only developments have been compatible when located adjacent to single-family developments. Conditions have been added to this case to ensure the project will be compatible with the surrounding properties based on findings associated with the degree of landscaping and/or existing natural buffers from previous precedence.

The RPA recommends approval of this rezoning request with the following conditions:

1. A Type C buffer yard, as specified in the Chattanooga Zoning Ordinance, consisting of a ten (10) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with Evergreen trees spaced a maximum of ten (10) feet on-center or two (2) staggered rows (spaced a maximum of seven (7) feet apart) of shrubs spaced a maximum of eight (8) feet on-center. To run whole length of the R-1 property line to the south and the A-1 property line to the north.
2. Provide streetyard trees along the interior streets of the property, per Section 38-593 of the City of Chattanooga Landscape Ordinance, and in accordance with the Chattanooga Transportation Department and Hamilton County Engineer relative to traffic safety.
3. The developer will be required to improve the sight distance on Hunter Road by improving the vertical and horizontal curves, adding 4' shoulders, and dedicating required right-of-way as approved by the Hamilton County Engineer

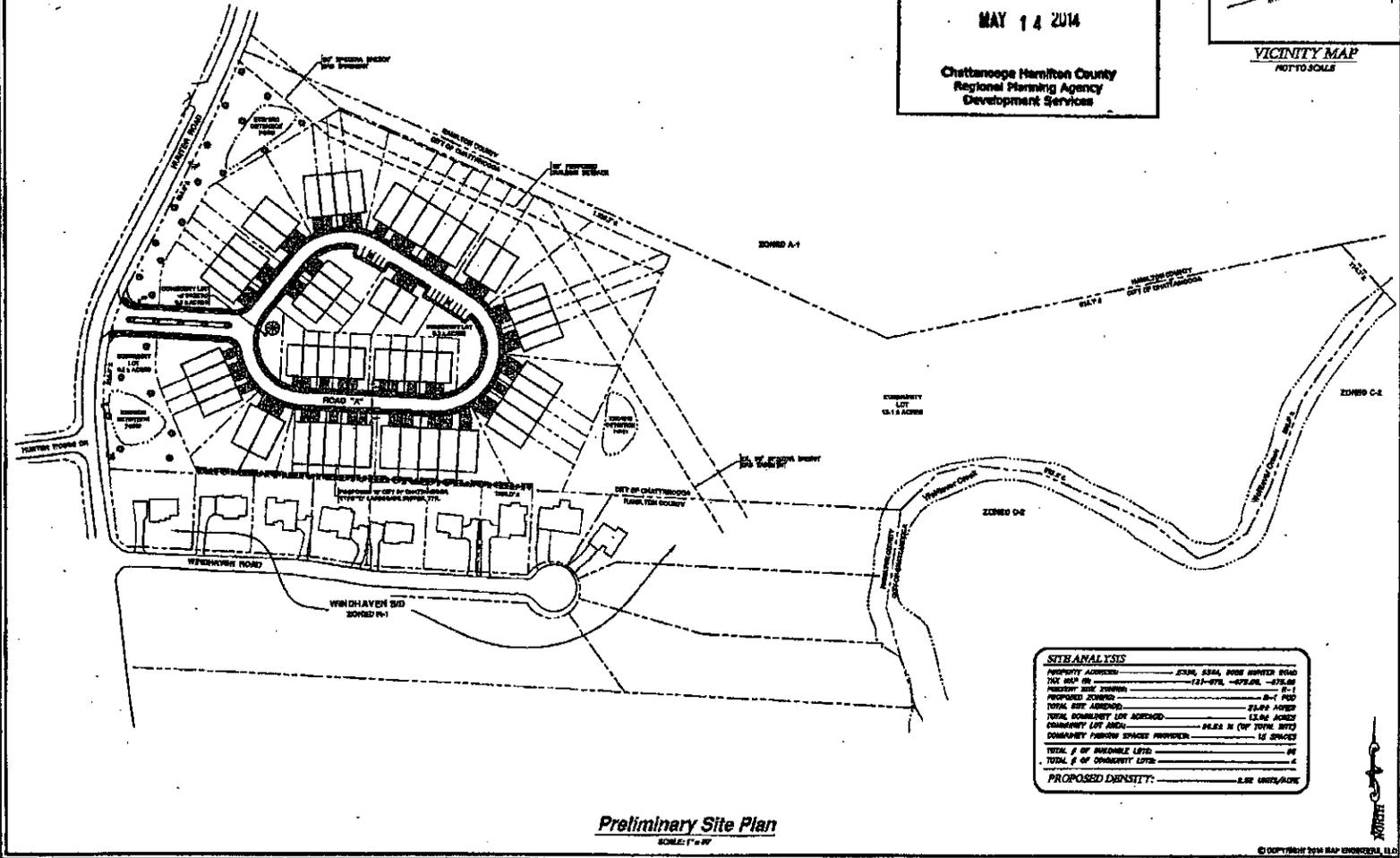
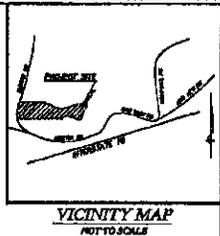


2014-043 Special Exceptions Permit for a Residential PUD

700 ft

Chattanooga Hamilton County Regional Planning Agency

RECEIVED
 MAY 14 2014
 Chattanooga Hamilton County
 Regional Planning Agency
 Development Services



SITE ANALYSIS

PROPERTY ADDRESS:	2300, 2304, 2306 HUNTER ROAD
TAX MAP ID:	21-078, -077, 076, -075, 074
PROPOSED ZONING:	R-1
TOTAL SITE AREA:	23.00 ACRES
TOTAL BUILDABLE LOT AREA:	23.00 ACRES
COMMUNITY LOT AREA:	12.00 ACRES (OF TOTAL SITE)
COMMUNITY PARKING SPACES PROVIDED:	12 SPACES
TOTAL # OF BUILDABLE LOTS:	58
TOTAL # OF COMMUNITY LOTS:	1
PROPOSED DENSITY:	0.88 UNITS/ACRE

PRELIMINARY FOR REVIEW ONLY

MAP ENGINEERS, L.L.C.

HUNTER ROAD DEVELOPMENT
 FOR: CHATTANOOGA CONSTRUCTION COMPANY, LLC
 P.O. BOX 828
 CHATTANOOGA, TN 37401

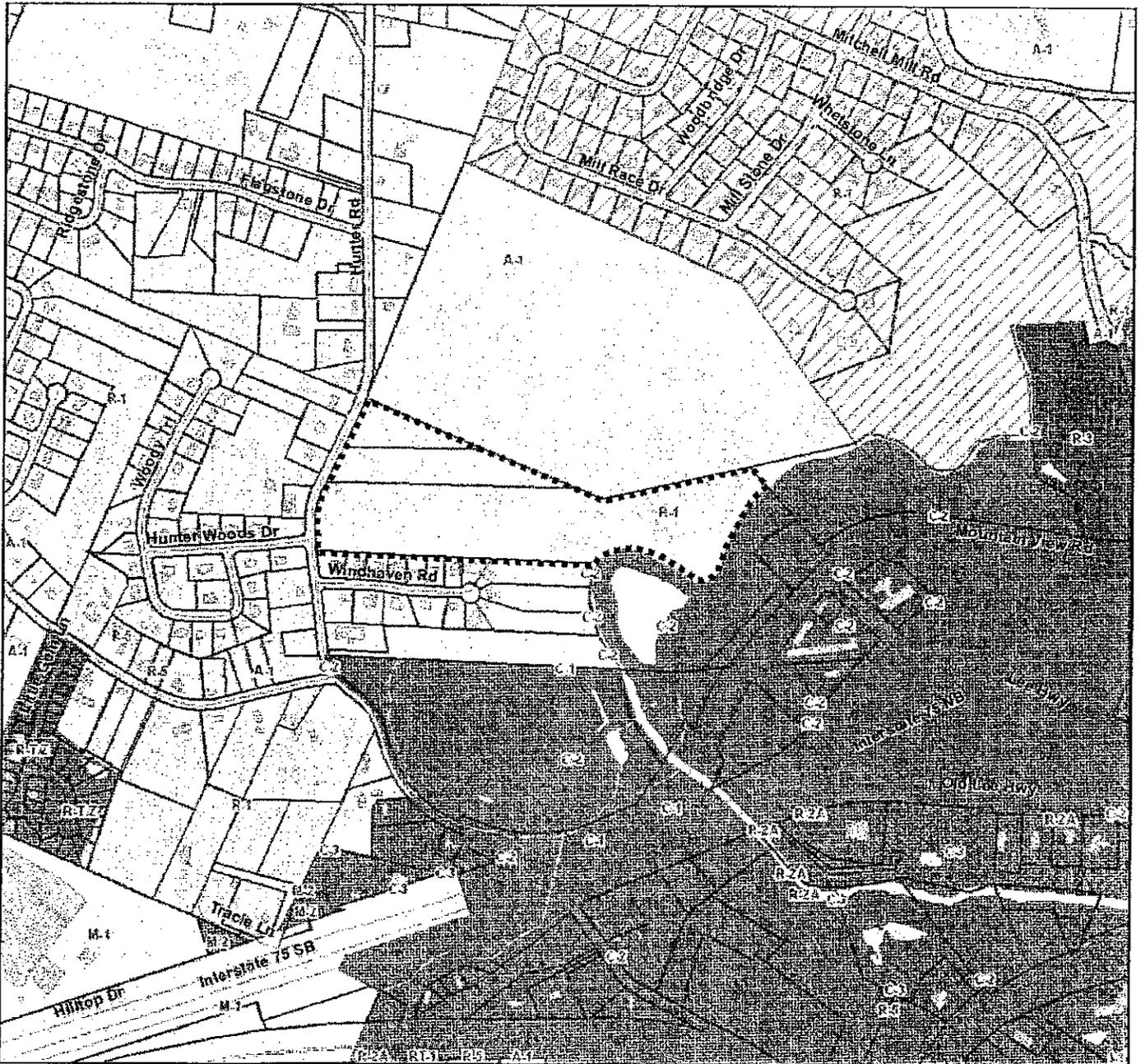
PRELIMINARY SITE PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1	11/11/09	ISSUED FOR PERMITS
2	11/11/09	ISSUED FOR PERMITS
3	11/11/09	ISSUED FOR PERMITS
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100	11/11/09	ISSUED FOR PERMITS

DATE: 11/11/09
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PLOT NUMBER: 12-116
 SHEET NUMBER: PS-1

58 BUILDABLE LOTS
23 ACRES



2014-043 Special Exceptions Permit for a Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-043:

Approve, subject to the conditions as listed in the Planning Commission Resolution



700 ft



Chattanooga Hamilton County Regional Planning Agency



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved:

2014-046 Wallace and Nancy Braud. 1329 and 1349 Gunbarrel Road, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.

2014-050 Patrick Johnson. 5209 St. Elmo Avenue, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2014-051 RTB Holdings, LLC/Parks Properties, LLC. 614 East Main Street (at rear of parcel), from M-3 Warehouse and Wholesale Zone to C-3 Central Business Zone, subject to certain conditions.

2014-054 Hixson Investors, LLC/Wells Fargo Bank and Raymond L. Hassler. 6308, 6338, 6348, 6352 Grubb Road and 5851 Highway 153, from C-2 Convenience Commercial Zone to R-4 Special Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2014-043 Chattanooga Construction Company/Lighthouse Enterprises, LLC. 5336, 5344, and 5050 Hunter Road, for a proposed Residential Planned Unit Development (PUD), subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be lifted and approved:

2014-055 Hixson Investors, LLC/Wells Fargo Bank and Raymond Hassler. 6308 Grubb Road and 5851, 5861, and 5857 Highway 153, so as to lift conditions from Ordinance No. 11827 of previous Case No. 2006-028 and to lift conditions from Ordinance No. 11946 of previous Case No. 2007-022.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Deleting in its entirety Section 38-25, Lots to front street; exceptions, and substituting in lieu thereof; and
- (b) Adding a new Division 4 to Article III, Zones and boundaries, Brainerd Road Streetscape Overlay Zone (BR-SO).

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

July 8, 2014

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2014.

Sandra Freeman
Clerk to the City Council